

# **BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION OF ) ORDER FOR AND NOTICE  
MONTANA-DAKOTA UTILITIES CO. FOR ) OF HEARING TO CONSIDER  
AUTHORITY TO INCREASE RATES FOR ) SETTLEMENT STIPULATION  
NATURAL GAS SERVICE ) NG02-011**

On December 30, 2002, Montana-Dakota Utilities Co. (MDU), filed with the Public Utilities Commission (Commission) an application to increase natural gas rates in its Black Hills service territory. The application seeks an increase in rates in the approximate amount of \$2,173,380 or approximately 5.8%. On January 16, 2003, the Commission suspended the proposed schedule of rates for 90 days beyond January 30, 2003. On April 1, 2003, Commission Staff recommended that the suspension of the tariff be further extended for 60 days.

At its April 1, 2003, meeting, the Commission considered this matter. MDU concurred with Staff's recommendation. The Commission voted unanimously to grant the extension sought by Commission Staff. On April 30, 2003, the Commission received MDU's motion to continue and reschedule the hearing.

At its May 6, 2003, meeting, the Commission considered this matter. MDU agreed to suspend implementing the proposed rate increase for 30 days after the June 29, 2003, expiration date. The Commission voted unanimously to grant the continuance. On May 22, 2003, the Commission received MDU's motion to extend deadline for rebuttal testimony to June 6, 2003.

At its June 3, 2003, meeting, the Commission considered this matter. The Commission voted unanimously to grant MDU's motion to extend deadline for rebuttal testimony to June 6, 2003. On June 13, 2003, the Commission received a motion to continue and reschedule the hearing and further suspend rates from MDU and Commission Staff.

At its June 17, 2003, meeting, the Commission considered this matter. The Commission voted unanimously to grant MDU's and Commission Staff's motion to continue and reschedule the hearing and further suspend rates.

On October 27, 2003, the Commission received a joint motion for approval of settlement stipulation and staff memorandum supporting settlement stipulation from Staff.

The Commission has jurisdiction over this matter pursuant to SDCL Chapters 1-26 and 49-34A, including 1-26-18, 1-26-19, 49-34A-2, 49-34A-3, 49-34A-4, 49-34A-6, 49-34A-8, 49-34A-8.1, 49-34A-10, 49-34A-11, 49-34A-12, 49-34A-13, 49-34A-13.1, 49-34A-14, 49-34A-16, 49-34A-17, 49-34A-19, 49-34A-19.1, 49-34A-19.2, 49-34A-20, 49-34A-21, 49-34A-22, and 49-34A-23.

Based on the joint motion for approval of the proposed settlement stipulation and staff memorandum supporting settlement stipulation, the Commission shall hear from the parties concerning the settlement stipulation on December 2, 2003, at 1:30 P.M., in Room 412, State Capitol, 500 East Capitol, Pierre, South Dakota.

It is therefore

ORDERED, that the Commission shall hear from the parties concerning the proposed settlement stipulation on December 2, 2003, at 1:30 P.M., in Room 412, State Capitol, 500 East Capitol, Pierre, South Dakota.

Dated at Pierre, South Dakota, this 13th day of November, 2003.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

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ROBERT K. SAHR, Chairman

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GARY HANSON, Commissioner

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JAMES A. BURG, Commissioner